

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Singular Computing LLC,

Plaintiff,

v.

Google LLC,

Defendant.

No. 19-cv-12551-FDS

ORDER ON PLAINTIFF'S MOTION TO COMPEL

CABELL, U.S.M.J.

Plaintiff Singular Computing LLC ("Singular") and defendant Google LLC ("Google") appeared before this court on January 19, 2021 for a hearing on Singular's Motion to Compel Production of Samples of the Accused Products (D. 96), specifically Google's TPUv2 and TPUv3 processing boards that are the subject of this patent infringement suit. Google opposed the motion. (D. 104).

After consideration of the arguments set forth by each side and the proprietary concerns that Google has expressed in its hardware, this court **ALLOWS** the Plaintiff's Motion to Compel pursuant to the following terms:

Physical samples shall be stored in the same manner as paper copies of Source Code, as set forth in Section 10(b)(v)-(vii) of the Protective Order, which provides safeguards for physical copies of Source Code in a

Receiving Party's possession. (D. 87, pp. 17-20). Specifically, Singular shall (i) store physical samples and related "notes, documents, and all other materials," including photographs and videos (Section 10(b)(vi)-(vii)), at Prince Lobel's office in a manner that prevents unauthorized access or inspection (e.g., in a locked room or cabinet when not in use); and (ii) require that any individual who wishes to access the physical samples first "provide proper identification" (Section 10(b)(vi)).

So ordered.

/s/ Donald L. Cabell
DONALD L. CABELL, U.S.M.J.

DATED: January 25, 2021